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June 22, 2022

VIA CM/ECF

Justice Philip M. Halpern
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

**RE: *Windward Bora LLC v. Frusciante et al.*, Case No.: 7:20-cv-07511-PMH
Letter Requesting Extension of Discovery Deadline**

Dear Judge Halpern,

This office was recently substituted in as attorneys for the plaintiff Windward Bora, LLC (“Plaintiff”) in the above referenced action. A Consent to Change Attorney was filed with the Court on June 21, 2022. Please consider this letter Plaintiff’s request to extend the close of fact discovery from June 30, 2022 to August 31, 2022.

Defendant Robert Scores served discovery demands dated April 6, 2022. After conferring with Plaintiff’s prior counsel, we determined that counsel received the defendant’s demands via email, but defendant’s emails had gone into prior counsel’s “junk” folder and they only became aware of the demands when filed his letter, dated June 8, 2022, with the Court. Plaintiff intends to provide responses to the Defendant’s demands shortly.

Additionally, Plaintiff served a subpoena on the originator of the loan, PNC Bank, N.A. successor by merger to National City Bank, on June 21, 2022, seeking documents related to the origination and history of the loan that are pertinent to addressing the defendant Robert Scores’ (“Scores”) claims of fraud at origination.

Furthermore, we have consulted a forensic handwriting expert to examine defendant Scores’ signature on the mortgage and intend to request self-executed documentation from Scores to conduct the examination.

As such Plaintiff respectfully requests an extension of the June 30, 2022 end of fact discovery to August 31, 2022.

We thank this Court for its continued attention to this matter.

Respectfully,

/s/ Mojdeh Malekan

cc: **VIA CM/ECF**
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